PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: September 9, 2008		[]	Consent Ordinance	[X]	Regular Public Hearing		
Department:	Palm Tran				· ·		
Submitted By:	Palm Tran						
Submitted for:	Palm Tran						
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Motion and Title: Staff recommends motion to adopt: Resolution amending Resolution No. 2001-2241 revising membership criteria for the Palm Tran Service Board (PTSB).

Summary: On December 18, 2001, the Board of County Commissioners adopted Resolution No. R2001-2241, which created the Palm Tran Service Board (PTSB). This Resolution will further amend the Resolution creating the Service Board by revising the PTSB membership criteria to: 1) change the membership from eleven (11) members to twelve (12) by adding a second member with transit experience; 2) change the Chairperson to a non-voting role except in the case of a tie vote or where the Chairperson's attendance is needed to create a quorum; and 3) change the definition of a quorum to seven (7) members.

The Palm Tran Service Board (PTSB) met on August 21, 2008, and discussed this proposed expansion. They recommend that the Board of County Commissioners consider two (2) additional seats, instead of one (1), with one (1) additional seat specifically dedicated to the Glades area, and that the PTSB Chairperson would remain a voting member of the PTSB. Countywide (DR)

Background and Justification: The Palm Tran Service Board (PTSB) was established December 18, 2001 and is currently comprised of eleven (11) at-large voting members from eleven (11) categories. The PTSB acts as an advisory board to the Board of County Commissioners and has been delegated authority by the BCC to conduct public hearings and make determinations regarding certain modifications to Palm Tran's fixed route service. It also provides a forum for public in-put relative to public transportation issues in Palm Beach County. At the direction of the Board of County Commissioners, this amendment would increase the membership to twelve (12) members. Additionally, this amendment would modify the duties of the Chairperson of the PTSB by making that position a non-voting member except if there were to be a tie vote among the other members or if the Chairperson were needed to create a quorum.

Attachment(s): Res	solution	
Recommended By		
•	Department Director	Date
Approved By:	()ah	8/28/08
•	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	200-	200-
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	0	0			
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0			

NET	ISCAL IMPACT	0		0										
	ITIONAL FTE IONS (Cumulative)	0		0										
ls Ite Budg	m Included In Cur et Account No.:		s nd ogram				_X Ur	nit	Obj	ject	•			
B.	Recommended S	Sources of Fu	nds/S	Summar	y of	Fisca	l Impa	ct:						
C.	Departmental Fi	scal Review:	J	John	<u>Cc</u> Mu	fce rphy, F	inance	Ma	anage	er				
		ll'	. <u>RE</u>	VIEW CO	<u>IMC</u>	<u>MENTS</u>	, <u>5</u>							
A. OFMB Fiscal and/or Contract Dev. and Control Comments: There is no fiscal impact associated with this agenda item.														
В.	OF OF I	91	08	8	No.	ntrac	t Dev.	ang	g Gon	ago ditrol	7	81	[] \$/0	۶
	Assistant Count	y Attorney	29/or											

C. Other Department Review:

Department Director

RESOLUTION NO. R-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NOS. R2002-0485, R2003-1582, R2004-0949, AND R2007-0711; EXPANDING THE MEMBERSHIP OF THE PALM TRAN SERVICE BOARD TO TWELVE MEMBERS: REVISING THE CRITERIA MEMBERSHIP; MODIFYING THE ROLE OF THE CHAIRPERSON; AMENDING THE QUORUM REQUIREMENTS: AND **PROVIDING** AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (also referred to herein as the PTSB); and

WHEREAS, the Board of County Commissioners adopted Resolution No. R2002-0485 which amended the manner in which members are appointed to the PTSB and extended the sunset date established for the PTSB to September 30, 2003; and

WHEREAS, the Board of County Commissioners adopted Resolution No. R2003-1582 to remove the sunset date established for the PTSB, and thereafter adopted Resolution No. R2004-0949 to establish a citizen at-large position; and

WHEREAS, the Board of County commissioners adopted Resolution 2007-0711 modifying the membership criteria so as to allow one (1) member of the PTSB to be an employee of a paratransit service provider as long as that member has extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County; and

WHEREAS, the Board of County Commissioners wishes to further amend Resolution No. R2001-2241, as previously amended, to increase the membership of the PTSB from eleven (11) to twelve (12) members, to require that the twelfth member have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County, to make the Chairperson of the PTSB a non-voting member, except in the case of a tie vote, and to increase the number of members who must be present to constitute a quorum of the PTSB from six (6) to seven (7) members.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. Section 6. Composition, of Resolution No. R2001-2241, as amended, is amended to provide as follows:
 - Section 6. Composition The PTSB shall be composed of twelve (12) voting members who shall be residents of Palm Beach County. The Board of County Commissioners shall appoint each member who shall serve at large and at the pleasure of the Board of County Commissioners.
- 2. Section 7. Terms, of Resolution No. R2001-2241, as amended to provide as follows:

Section 7. Terms -

- a. The terms of all PTSB members shall be for two (2) years, and there shall be no limit upon the number of terms any member may serve.
- b. In order to achieve a staggering of terms, the initial terms held by the members appointed to serve as representatives from the categories described in Section 7.e.1), 3), 5), 7), 9) and 11) shall be for two (2) years. The initial terms held by the members appointed to serve as representatives from the categories described in Section 7.e.2), 4), 6), 8), 10), and 12) shall be for one (1) year.
- c. Any member may be removed, for any reason whatsoever, with or without cause, by the Board of County Commissioners.
- d. Notwithstanding anything contained herein, a member's appointment shall terminate and the member shall be automatically removed, with or without the action of the Board of County Commissioners, for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or three (3) meetings within a one (1) year period regardless of the reason for the absences.
- e. To the extent deemed possible by the Board of County Commissioners, the criteria set forth below will be used in the selection and appointment of members to serve on the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative from each of the following twelve (12) categories appointed to the PTSB:
- 1) Transportation experience

- 2) Disability advocate
- 3) Environmental advocate
- 4) Elected municipal official of a municipality located in Palm Beach
 County
- 5) Business community representative
- 6) Representative of the diverse communities of Palm Beach County
- 7) Senior citizen
- 8) Certified paratransit user
- 9) Regular fixed route bus passenger
- 10) Fixed route bus operator
- 11) Citizen at-large
- 12) Paratransit expertise
- f. The member selected to represent the certified paratransit user category described in Section 7.e.8 above may be employed by a paratransit transportation provider providing services to Palm Beach County; provided, however, that if the member's occupation is in the area of paratransit transportation services, than such member shall have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County.
- 3. Section 8. PTSB Chairperson, of Resolution No. R2001-2241, as amended, is amended to provide as follows:
 - 8. PTSB Chairperson The PTSB shall elect a chairperson and a vice-chairperson from among its twelve (12) members. The chairperson shall be a non-voting member except, in the case of a tie vote, the chairperson shall cast the deciding vote. The chairperson and the vice-chairperson shall each serve for a term of one year. In the event the chairperson is not present at a meeting, the vice-chairperson shall act as the chairperson and in such role shall be a non-voting member except, in the case of a tie vote, the acting chairperson shall cast the deciding vote.
- 4. Section 9. Quorum and Meetings, of Resolution No. R2001-2241, as amended, is amended to provide as follows:
 - 9. Quorum and Meetings -
 - a. A quorum of the PTSB's membership must be physically present in

order to conduct any business or take any action. A quorum shall consist of seven (7) of the twelve (12) members. The chairperson shall be considered a member for purposes of determining whether a quorum is physically present, but shall vote only in the case of a tie vote, and shall cast the deciding vote.

- b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate. The PTSB shall conduct its meetings according to Robert's Rules of C.

Order and may establish	sh rules of procedure for the conduct of its meetings.
This resolution shall tal	ke effect upon its adoption.
The foregoing resolut	ion was offered by Commissioner
who moved its adoption	n. The motion was seconded by
Commissioner	
and upon being put to a	a vote, the vote was as follows:
Commiss Commiss Commiss Commiss Commiss	ioner Addie Greene ioner Jeff F. Koons ioner Karen T. Marcus ioner Robert J. Kanjian ioner Mary McCarty ioner Burt Aaronson ioner Jess R. Santamaria
The Chairperson there	upon declared the resolution duly passed and adopted this
day of	, 2008.
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNTY, FLORIDA, by its BOARD OF COUNTY COMMISSIONERS
	Sharon R. Bock, Clerk & Comptroller

Deputy Clerk